



COMMONWEALTH OF MASSACHUSETTS  
EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS  
DEPARTMENT OF ENVIRONMENTAL PROTECTION  
NORTHEAST REGIONAL OFFICE

205B Lowell Street, Wilmington, MA 01887 • (978) 694-3200

DEVAL PATRICK  
Governor

TIMOTHY P. MURRAY  
Lieutenant Governor

IAN BOWLES  
Secretary

ARLEEN O'DONNELL  
Commissioner

**This is an electronic facsimile of a document on file with the Massachusetts Department of Environmental Protection.**

CERTIFIED MAIL

January 5, 2007

Richard A. Nylen, Esq.  
Lynch DeSimone & Nylen, LLP  
12 Post Office Square  
Boston, Massachusetts 02109

Re: NEWBURYPORT - Solid Wastes/COR  
Crow Lane Landfill  
Spent Sulfa-Bind  
Approval with Conditions  
FMF No. 39545

Dear Attorney Nylen:

On December 29, 2006 you submitted a request to the Massachusetts Department of Environmental Protection, Northeast Regional Office, Bureau of Waste Prevention, Solid Waste Management Section ("MassDEP") on behalf of your client, New Ventures Associates LLC ("New Ventures"), for approval to place spent Sulfa-Bind in the Crow Lane Landfill in Newburyport, Massachusetts. The request was submitted to MassDEP in accordance with paragraph 1.i. of the preliminary injunction entered in Suffolk Superior Court, Civil Action No. 06-0790 C, on November 1, 2006 (the "Order") for the Crow Lane Landfill. New Ventures utilizes Sulfa-Bind in the landfill gas pre-treatment at the landfill to remove hydrogen sulfide from the collected landfill gas prior to combustion of the landfill gas in the landfill flare at the site. The spent Sulfa-Bind is the residue from the pre-treatment system.

New Ventures previously submitted information to MassDEP from ADI International, Inc. ("ADI"), dated October 24, 2006, on the characteristics of the spent Sulfa-Bind. In addition, on December 6, 2006, MassDEP's contractor, Shaw Environmental, Inc. of Salem, New Hampshire ("Shaw"), collected two composite samples of spent Sulfa-Bind from the pre-treatment system at the Crow Lane Landfill for laboratory analysis. On December 21, 2006, Shaw submitted the results of the laboratory testing of those samples to MassDEP.



**This is an electronic facsimile of a document on file with the Massachusetts Department of Environmental Protection.**

Based on the a review of the information provided by ADI and Shaw, pursuant to paragraph 1.i. of the Order MassDEP approves the placement of spent Sulfa-Bind in the Crow Lane Landfill subject to the following conditions:

1. Only spent Sulfa-Bind generated by the landfill gas pre-treatment at the Crow Lane Landfill may be placed in the Crow Lane Landfill.
2. The spent Sulfa-Bind must be thoroughly mixed with soil at a ratio of 2 parts soil to 1 part spent Sulfa-Bind.
3. After placement in the landfill the mixed soil and spent Sulfa-Bind shall be covered with poly sheeting (not less than 5 mil in thickness), placed in such a manner as to facilitate the diversion of water around the mixed soil and spent Sulfa-Bind. Not less than 2 feet of soil shall then be carefully placed immediately above the poly sheeting in a manner that minimizes the potential for the disturbance and damage of the poly sheeting.
4. The spent Sulfa-Bind shall not be placed within (20) feet of the elevation of the water table at the landfill.

If you have any questions please contact me at (978) 694-3299.

Sincerely,

**This final document copy is being provided to you electronically by the  
Massachusetts Department of Environmental Protection.  
A signed copy of this document  
is on file at the DEP office listed on the letterhead.**

---

John A. Carrigan, Chief  
Solid Waste Management Section

Certified Mail Number: 7005 1160 0001 7982 4669

JAC/jac

Cc: Jack Morris  
City of Newburyport  
Health Department  
City Hall  
60 Pleasant Street  
Newburyport, MA 01950  
Email Address: JMorris@CityofNewburyport.com

Matthew Ireland

**This is an electronic facsimile of a document on file with the Massachusetts Department of Environmental Protection.**

Office of the Attorney General  
Boston, MA

Traci Peters  
City of Newburyport  
Conservation Commission  
60 Pleasant Street  
Newburyport, MA 01950  
Email Address: [tpeter@cityofNewburyport.com](mailto:tpeter@cityofNewburyport.com)

William Thibeault  
New Ventures Associates LLC  
85-87 Boston Street  
Everett, Massachusetts 02149  
Email Address: [omlcllc@aol.com](mailto:omlcllc@aol.com)

Michael Quatromoni  
SITEC Environmental, Inc.  
769 Plain Street, Unit C  
Marshfield, MA 02050

Senator Steven A. Baddour  
State House  
Boston, Massachusetts  
Email Address: [SBaddour@senate.state.ma.us](mailto:SBaddour@senate.state.ma.us)

Representative Michael A. Costello  
State House  
Boston, Massachusetts  
Email Address: [Rep.MichaelCostello@hou.state.ma.us](mailto:Rep.MichaelCostello@hou.state.ma.us)

Tom and Terry Berns  
Newburyport, Massachusetts  
Email Address: [tjbty@comcast.net](mailto:tjbty@comcast.net)

Jack Van Loan  
Plum Island  
Newburyport, Massachusetts  
Email Address: [jackvanloan@earthlink.net](mailto:jackvanloan@earthlink.net)

Ronald Klodenski  
Newburyport, Massachusetts  
Email Address: [ronklod@verizon.net](mailto:ronklod@verizon.net)

William Woodbury  
Newburyport, Massachusetts  
Email Address: [william.woodbury@verizon.net](mailto:william.woodbury@verizon.net)

**This is an electronic facsimile of a document on file with the Massachusetts Department of Environmental Protection.**

Bruce Vogel  
City of Newburyport  
City Council  
Email Address: [wardfive@comcast.net](mailto:wardfive@comcast.net)

Michael Dingle  
MassDEP/OGC-Boston